

**CHAPTER NO. 263**

**SENATE BILL NO. 882**

**By Ramsey, Southerland, Ketron**

Substituted for: House Bill No. 541

By Ferguson, Hargett, Rinks, McCord, Todd, Vaughn, Bone, Bowers, Eldridge, Gresham, Hackworth, Black, Shaw, Shepard, Maddox, Michael Turner, Yokley, Coleman, Cobb, Dunn, DuBois, Brenda Turner, Garrett, Overbey, McDonald, Hargrove, Sargent, Russell Johnson, Montgomery

AN ACT to amend Tennessee Code Annotated, Title 66, Chapter 5, Part 2, relative to residential property disclosure.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 66-5-208, is amended by inserting the following language as a new subsection (d) and by redesignating the remaining subsection accordingly:


(d)(1) No cause of action may be instituted against a real estate licensee for information contained in any reports or opinions prepared by an engineer, land surveyor, geologist, wood destroying inspection control expert, termite inspector, mortgage broker, home inspector, or other home inspection expert. A real estate licensee may not be the subject of any action and no action may be instituted against a real estate licensee for any information contained in the form prescribed by Tennessee Code Annotated, Section 66-5-210, unless the real estate licensee is signatory to such.

(2) Nothing in this subsection shall be construed to exempt or excuse a real estate licensee from making any of the disclosures required by §§ 66-5-206, 62-13-403 or 62-13-405, nor shall it be construed to remove, limit or otherwise affect any remedy provided by law for such a failure to disclose.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 21, 2003

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 4<sup>th</sup> day of June 2003

  
PHIL BREDESEN, GOVERNOR